

FILED

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
DEL RIO DIVISION**

AUG 07 2024

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY  DEPUTY CLERK

UNITED STATES OF AMERICA,

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v.

Cause No. DR-21-CR-1656-AM-2

MIGUEL EMMANUEL REYES (2),
Defendant.

ORDER

Before the Court is the Defendant's Motion to Reduce Sentence pursuant to Amendment 821 of the United States Sentencing Commission. (ECF No. 102.) The Government responded in opposition (ECF No. 103) and the Defendant filed a reply. (ECF No. 104.) The presentence report prepared in this matter reflects that the Defendant was assessed 10 criminal history points, including two status points for a violation committed while serving under a conviction. (ECF No. 91.) Therefore, the Defendant is entitled to a one-point reduction, resulting in a reduction in criminal history category from V to IV. The guideline range under the original offense level of 43, criminal history category V, was a life sentence. The guideline range under the amended offense level of 43, criminal history category IV, remains a life sentence. The Defendant was sentenced to a term of imprisonment of 262 months. Thus, the sentence remains within the guideline range.

Accordingly, sentence reduction is not appropriate here and the Motion is DENIED.

SIGNED and ENTERED on this 7th day of August 2024.


ALIA MOSES
Chief United States District Judge